

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

UNITED STATES OF AMERICA,

Plaintiff/Respondent,

V.

GERARDO ESQUIVEL-SOLIS,

Defendant/Movant.

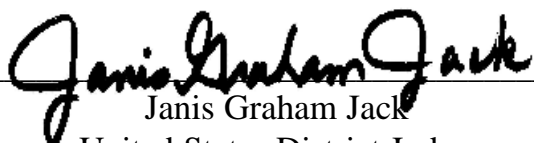
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CR. No. C-06-387 (2)
C.A. No. C-07-427

FINAL JUDGMENT

The Court enters final judgment denying with prejudice in part and dismissing without prejudice in part defendant Gerardo Esquivel-Solis' motion to vacate, set aside or correct sentence under 28 U.S.C. § 2255. The motion is denied with prejudice as to Esquivel's claim that his counsel Richard Garcia was constitutionally ineffective during plea negotiations. It is dismissed without prejudice as to Esquivel's claim that his counsel Bill May failed to file a notice of appeal despite a request from Esquivel to do so.

It is so ORDERED this 4th day of August, 2008.


Janis Graham Jack
United States District Judge